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Olness and
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Montana State
Lottery financial
statements, years
ended June 30,
1985 and 1984

MONTANA STATE LOTTERY
FINANCIAL STATEMENTS

Years Ended June 30, 1995 and 1994

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MONTANA STATE LOTTERY

FINANCIAL STATEMENTS

Years Ended June 30, 1995 and 1994

OLNESS & ASSOCIATES, P. C.

CERTIFIED PUBLIC ACCOUNTANTS

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LEGISLATIVE AUDITOR:
SCOTT A. SEACAT
LEGAL COUNSEL:
JOHN W. NORTHEY

September 1995

The Legislative Audit Committee
of the Montana State Legislature:

Enclosed is the report on the audit of the Montana State Lottery for the year ended
June 30, 1995.

The audit was conducted by Olness and Associates, PC, under a contract between the
firm and our office. The comments and recommendations contained in this report
represent the views of the firm and not necessarily the Legislative Auditor.

The report contains no recommendations; therefore, the agency did not provide a
response.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Seacat", written over a horizontal line.

Scott Seacat
Legislative Auditor

MONTANA STATE LOTTERY

COMMISSION MEMBERS AND ADMINISTRATIVE OFFICIALS

JUNE 30, 1995

COMMISSION MEMBERS

Rebecca Erickson, Chairman

Clifford Brophy

Larry O'Toole

David Kasten

Robert Crippen

RESIDENCE

Glasgow

Columbus

Plentywood

Brockway

Butte

ADMINISTRATIVE OFFICIALS

Charmaine Murphy, Montana State Lottery Director

L. John Onstad, Director of Security

Leslie J. Darfler, Director of Operations

Karalee Ellison, Director of Marketing

MONTANA STATE LOTTERY

INTRODUCTION AND BACKGROUND

JUNE 30, 1995

INTRODUCTION

The purpose of our contract with the State and Montana State Lottery was to conduct a financial-compliance audit of the Montana State Lottery's financial statements and issue an opinion on such. The scope of our services is defined in our contract with the Office of the Legislative Auditor, dated June 27, 1994, and as supplemented by certain requirements included in the bidder information.

As a result of our audit, we have issued an independent auditor's report on internal control structure and an independent auditor's report on compliance with laws and regulations, which include certain required comments per the contract.

BACKGROUND

The Montana State Lottery was created in November 1986 by a referendum vote of the people of Montana. The "Montana State Lottery Act of 1985" appears as Chapter 669 of the Montana Session Laws and Title 23, Chapter 7, of the Montana Code Annotated. The general purpose is to allow lottery games in which players purchase from the state, through the administration of the Montana State Lottery, a chance to win a prize. Disposition of revenue is a minimum of 45 percent for prizes and a maximum of 10 percent for commission to sales agents. The remaining revenue, less operating expenses, is transferred to the Montana Office of Public Instruction and the Montana Board of Crime Control. Effective July 1, 1995, the Montana State Lottery is required to transfer its net revenue to the Montana State General Fund rather than the Montana Office of Public Instruction and the Montana Board of Crime Control. This change was enacted through the passage of SB 83 by the 1995 Legislature and signed into law by Governor Racicot in April 1995.

OLNESS & ASSOCIATES, P. C.

BRENT D. OLNESS, CPA

CERTIFIED PUBLIC ACCOUNTANTS

ERNEST J. OLNESS, CPA

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INDEPENDENT AUDITOR'S REPORT

To the Commissioners
Montana State Lottery
Helena, Montana

We have audited the accompanying financial statements of Montana State Lottery (Lottery), an enterprise fund of the State of Montana, as of and for the years ended June 30, 1995 and 1994, as listed in the table of contents. These financial statements are the responsibility of the Lottery's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As discussed in Note 1, the financial statements present only the Montana State Lottery and are not intended to present the financial position of the State of Montana and the results of its operations and cash flows of its proprietary fund types and nonexpendable trust funds in conformity with generally accepted accounting principles.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Montana State Lottery, an enterprise fund of the State of Montana, as of June 30, 1995 and 1994, and the results of its operations and its cash flows for the years then ended in conformity with generally accepted accounting principles.

In accordance with Government Auditing Standards, we have also issued a reported dated August 25, 1995 on our consideration of the State of Montana's internal control structure as it relates to the Montana State Lottery and a report dated August 25, 1995 on its compliance with laws and regulations.

Olness & Associates, PC

August 25, 1995

MONTANA STATE LOTTERY
BALANCE SHEETS
June 30, 1995 and 1994

	1995	1994
ASSETS		
CURRENT ASSETS		
Cash and cash equivalents (note 2)	\$ 2,647,262	\$ 3,023,658
Accounts receivable, less allowance for doubtful receivables of \$6,375 in 1995 and \$8,453 in 1994	525,276	872,264
Inventory	393,848	218,247
Other current assets (note 3)	64,781	147,404
TOTAL CURRENT ASSETS	3,631,167	4,261,573
FIXED ASSETS		
Furniture, fixtures and equipment	1,042,093	1,569,363
Accumulated depreciation and amortization	(662,490)	(1,403,559)
	379,603	165,804
OTHER ASSETS		
Long-term receivable (note 4)	1,461,589	1,131,198
	\$ 5,472,359	\$ 5,558,575
 LIABILITIES AND FUND EQUITY		
CURRENT LIABILITIES		
Accounts payable	\$ 225,639	\$ 206,921
Estimated prize liability (note 5)	694,416	936,658
Transfer obligations (note 6)	2,376,243	2,656,575
Other current liabilities (note 7)	324,665	456,279
TOTAL CURRENT LIABILITIES	3,620,963	4,256,433
LONG-TERM LIABILITIES (note 8)	1,612,353	1,300,782
	5,233,316	5,557,215
FUND EQUITY		
Contributed capital	239,043	1,360
COMMITMENTS AND CONTINGENCIES (notes 9 and 13)	-	-
	\$ 5,472,359	\$ 5,558,575

MONTANA STATE LOTTERY
 STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN RETAINED EARNINGS
 Years Ended June 30, 1995 and 1994

	1995	1994
OPERATING REVENUES		
Instant ticket games	\$ 7,281,701	\$ 7,844,749
On-line games	25,476,717	29,638,035
License fees	2,700	2,500
TOTAL OPERATING REVENUES	32,761,118	37,485,284
COST OF TICKET REVENUES		
Instant ticket prize expense	3,955,212	4,296,652
On-line ticket prize expense	12,196,640	13,851,838
Retailer commission	1,803,629	2,068,256
On-line vendor fees	3,214,013	4,560,711
Cost of tickets sold	334,186	381,971
TOTAL COST OF TICKET REVENUES	21,503,680	25,159,428
NET OPERATING REVENUES	11,257,438	12,325,856
OPERATING EXPENSES		
Advertising	548,872	662,623
Communications	152,180	72,351
Contractual services	420,587	537,064
Depreciation	60,814	42,241
Management fees	86,151	94,742
Multi-state operating fees	93,288	110,201
Personnel services	1,105,216	1,155,612
Repairs and maintenance	73,887	82,358
Supplies and materials	152,583	162,591
Utilities and rent	92,845	92,623
Travel	35,762	36,383
Other	44,848	35,185
TOTAL OPERATING EXPENSES	2,867,033	3,083,974
OPERATING INCOME	8,390,405	9,241,882
NONOPERATING REVENUES (EXPENSES)		
Interest income	201,396	121,863
Gain on disposal of fixed assets	2,212	-
TOTAL NONOPERATING REVENUES (EXPENSES)	203,608	121,863
INCOME BEFORE OPERATING TRANSFERS	8,594,013	9,363,745
OPERATING TRANSFERS OUT		
Montana Office of Public Instruction	(7,811,958)	(8,511,644)
Montana Board of Crime Control	(782,055)	(852,101)
TOTAL OPERATING TRANSFERS	(8,594,013)	(9,363,745)
NET INCOME	-	-
RETAINED EARNINGS, BEGINNING OF YEAR	-	-
RETAINED EARNINGS, END OF YEAR	\$ -	\$ -

MONTANA STATE LOTTERY
STATEMENTS OF CASH FLOWS
Years Ended June 30, 1995 and 1994

	<u>1995</u>	<u>1994</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Operating income	\$ 8,390,405	\$ 9,241,882
Adjustment to reconcile operating income to net cash provided (used) by operating activities		
Depreciation	60,814	42,241
Changes in assets and liabilities		
Decrease in accounts receivable	346,988	831,391
Increase in inventory	(175,601)	(92,387)
(Increase) decrease in other current assets	81,515	(117,805)
Increase in long-term receivable	(330,391)	(542,054)
Increase (decrease) in accounts payable	18,718	(299,229)
Decrease in estimated prize liability	(242,242)	(518,845)
Increase (decrease) in other current liabilities	(131,614)	187,106
Increase in long-term liabilities	<u>311,571</u>	<u>591,438</u>
NET CASH PROVIDED BY OPERATING ACTIVITIES	<u>8,330,163</u>	<u>9,323,738</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES		
Operating transfers out:		
Montana Office of Public Instruction	(8,066,780)	(8,630,325)
Montana Board of Crime Control	<u>(807,565)</u>	<u>(863,983)</u>
NET CASH USED BY NONCAPITAL FINANCING ACTIVITIES	<u>(8,874,345)</u>	<u>(9,494,308)</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES		
Proceeds from the sale of fixed assets	10,156	-
Purchase of fixed assets	<u>(44,874)</u>	<u>(3,082)</u>
NET CASH USED BY CAPITAL AND CAPITAL RELATED FINANCING ACTIVITIES	<u>(34,718)</u>	<u>(3,082)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Interest earned on investments	<u>202,504</u>	<u>118,487</u>
NET CASH PROVIDED BY INVESTING ACTIVITIES	<u>202,504</u>	<u>118,487</u>
NET DECREASE IN CASH AND CASH EQUIVALENTS	(376,396)	(55,165)
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	<u>3,023,658</u>	<u>3,078,823</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$ 2,647,262</u>	<u>\$ 3,023,658</u>

NONCASH INVESTING, CAPITAL AND FINANCING ACTIVITIES

Contributions of fixed assets	237,683	-
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MONTANA STATE LOTTERY
NOTES TO FINANCIAL STATEMENTS

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization

The Montana State Lottery (hereafter referred to as the Lottery) was created in November 1986 by a referendum vote of the people of Montana. Section 23-7-101, Montana Code Annotated (MCA) establishes the provision of the code under which the Lottery operates. The Lottery is operated by a five-member commission consisting of Montana residents appointed by the Governor. The Commission, by law, has the power to operate a state lottery, determine the types and forms of lottery games, set ticket prices, determine the number and size of prizes, conduct lottery drawings, enter into agreements to offer lottery games with other states, and prepare financial reports. The Lottery is attached to the Montana Department of Commerce for administrative purposes.

Disposition of revenue is a minimum of 45 percent for prizes and a maximum of 10 percent for commissions to sales agents. The remaining revenue, less operating expenses, is transferred to the Montana Office of Public Instruction and the Montana Board of Crime Control.

Reporting Entity

The Lottery is included in the State of Montana's financial statements as an enterprise fund. In accordance with governmental accounting and financial reporting standards, there are no component units that should be included in the Lottery's financial statements.

Basis of Accounting

The Lottery utilizes the accrual basis of accounting and is classified as an enterprise fund of the governmental proprietary fund type. Enterprise funds account for operations similar to private business enterprises where the intent of the Legislature is that costs are to be financed or recovered primarily through user charges, or where the Legislature has decided that periodic determination of revenue earned, expenses incurred or net income is appropriate.

Revenue Recognition

Sales of instant lottery tickets are made to licensed retailers who market the tickets to the public on a commission basis. Revenue is recognized when the tickets are delivered to the retailers. Tickets not sold by retailers may be returned for credit. Sales are reduced for estimated ticket returns.

Sales of on-line lottery tickets are made to licensed retailers who market the tickets through the use of computerized terminals on a commission basis. Revenue is recognized on drawing dates. Tickets sold in advance of future drawing dates are recorded as deferred revenue until the ticket becomes valid for a drawing.

Cash and Cash Equivalents

Cash and cash equivalents consist of interest-bearing deposits with the Montana Board of Investments short-term investment pool, cash on deposit with a bank and cash on deposit with the Montana State Treasurer that is part of the State's pooled cash and is not separately identifiable as to specific types of securities. These funds are highly liquid and may be drawn on daily.

Inventory

Inventories consist of tickets and supplies. Ticket inventory includes instant lottery tickets that are carried at cost using the specific identification method. Tickets are charged to cost of sales when sold. Unsold tickets are charged to cost of sales upon the end or cancellation of the related game. Supply inventory is carried at cost and expensed as used.

MONTANA STATE LOTTERY
NOTES TO FINANCIAL STATEMENTS (continued)

Prizes

Prepaid prizes represent prizes purchased and on-hand in advance of game awards. Prize expense is recognized based on a predetermined prize structure for each instant ticket and on-line game. Free tickets are recorded as a reduction in revenue and not as prize expense.

Intangible Assets

Intangible assets represent the per ticket cost paid to Automated Wagering Inc. for advance on-line ticket sales. These ticket sales, also referred to as deferred revenue, represent tickets sold prior to June 30, 1995 and 1994 for drawings held subsequent to year-end.

Fixed Assets

Fixed assets are recorded at cost. Donated fixed assets are recorded at their estimated fair market value at the date of donation. Ordinary maintenance and repairs are charged to operations as incurred; major renewals and betterments are capitalized. Upon disposition or retirement of fixed assets, the cost and related accumulated depreciation or amortization is removed from the accounts. Gain or loss on disposal is reflected in nonoperating revenues and expenses. Depreciation and amortization are calculated on a straight-line basis over estimated useful lives of two to ten years.

Contributed Capital

Contributed capital represents equity acquired through contributions from vendors and the State of Montana.

Compensated Absences

State employees earn vacation leave ranging from fifteen to twenty-four days per year based on years of service. Vacation leave may be accumulated to a total not to exceed twice the maximum number of days earned annually. Sick leave accumulates at a rate of twelve days per year with no maximum accumulation. Upon retirement or termination, an employee is paid for 100 percent of unused vacation leave and 25 percent of unused sick leave.

Reclassifications

The Lottery has reclassified certain prior year balances to conform to the current year's presentation.

NOTE 2 - CASH AND CASH EQUIVALENTS

Cash and cash equivalents consist of the following:

	<u>June 30,</u>	
	<u>1995</u>	<u>1994</u>
Short-term investment pool	\$ 2,104,119	\$ 2,881,100
Cash on deposit with State Treasurer	533,403	132,408
Cash in revolving deposit account	9,590	10,000
Petty cash	<u>150</u>	<u>150</u>
	<u>\$ 2,647,262</u>	<u>\$ 3,023,658</u>

Reference to the audit of the State of Montana would identify the level of risk associated with cash and cash equivalents in the short-term investment pool and amounts retained with the State Treasurer. The bank balance of the revolving deposit account was \$10,767 and \$10,258 at June 30, 1995 and 1994, respectively, and was covered by federal depository insurance. The carrying amount reported in the balance sheet for cash and cash equivalents approximates the fair market value.

MONTANA STATE LOTTERY
NOTES TO FINANCIAL STATEMENTS (continued)

NOTE 3 - OTHER CURRENT ASSETS

Other current assets consist of the following:

	June 30,	
	1995	1994
Prepaid prizes and expenses	\$ 32,295	\$ 120,571
Intangible assets	16,602	12,072
Interest receivable on investment pool	9,653	10,761
Employee advances	4,300	4,000
Other	1,931	-
	\$ 64,781	\$ 147,404

NOTE 4 - MULTI-STATE LOTTERY ASSOCIATION

Joint Venture Association

In November 1989, the Montana State Lottery joined the Multi-State Lottery Association (MUSL). MUSL was created in September 1987 to operate a multi-state lottery game for the benefit of party lotteries. The Lotto*America/Powerball game and the Tri-West Lotto game are presently the only games operated jointly by the members. Each lottery participating in MUSL is represented on the Board of Directors.

Prize Reserve Fund Receivable/Payable

As a member of the MUSL, the Lottery is required to contribute to various prize reserve funds maintained by MUSL. The contributions are to be used to fund unanticipated prize claims. All funds remitted, and the related interest earnings, will be returned to the Lottery upon leaving the association, less any portion of unanticipated prize claims, which may have been paid from the fund.

The Lottery contributes to the reserve fund through the set-aside for prizes. Payments made to the reserve fund are considered a portion of the prize expense associated with the on-line game.

During 1990, the MUSL Board created the unreserved accounts to record interest earned on the various prize reserve funds when the prize reserve fund balance is not below the predetermined ceiling amount. The amounts in the unreserved accounts may be used at the Board's discretion.

The long-term receivable balance of \$1,461,589 and \$1,131,198 at June 30, 1995 and 1994, respectively, represents the Lottery's share of the MUSL prize reserve fund that had a balance of \$47,250,261 and \$49,946,409 for 1995 and 1994, respectively. The long-term liability balance of \$1,447,165 and \$1,153,060 at June 30, 1995 and 1994, respectively, represents the Lottery's share of the total estimated prize liability.

Lotto*America Prizes and Investments

Prizes awarded to Lotto*America grand prize winners are paid in twenty annual installments funded by investments in United States Treasury zero coupon bonds. Bonds purchased on behalf of Montana source winners are held in trust by MUSL with the Montana State Lottery as beneficiary. As the bonds mature, the proceeds are forwarded to the Montana State Lottery and distributed to the grand prize winners on the anniversary date of each win.

At June 30, 1995 and 1994, MUSL held United States Government zero coupon bonds in trust for the

MONTANA STATE LOTTERY
NOTES TO FINANCIAL STATEMENTS (continued)

Montana State Lottery winners with respective par values of \$48,671,305 and \$51,060,111 and respective market values of \$30,830,604 and \$29,491,684.

The Montana State Lottery has five Lotto*America winners. The combined total of future prize payments owed is \$48,671,000 and \$51,059,000 at June 30, 1995 and 1994, respectively. Total annual payments due over each of the next five years is \$3,088,000 annually and \$33,231,000 thereafter. The present value of future prize payments approximate the current market value of the bonds held in trust for the Montana State Lottery winners.

Multi-State Lottery Association Financial Position

Information related to the Multi-State Lottery Association's audited financial statements is as follows:

	June 30.	
	1995	1994
Total assets	\$ 910,766,450	\$ 629,173,279
Total liabilities	910,585,456	629,014,878
Total fund balance	180,994	158,401
 Total liabilities and fund balance	 \$ 910,766,450	 \$ 629,173,279
 Total revenues	 \$ 1,917,361	 \$ 2,191,190
Total expenses	1,894,768	2,224,567
 Excess (deficit) revenues over expenses	 \$ 22,593	 \$ (33,377)

NOTE 5 - ESTIMATED PRIZE LIABILITY

The estimated prize liability represents the Lottery's estimate of prizes payable related to games in process at year-end based on the predetermined prize structure of each outstanding game.

NOTE 6 - OBLIGATION TO TRANSFER FUNDS

Beginning July 1, 1992, the Lottery is required to transfer, each quarter, 9.1 percent of income before transfers to the Montana Board of Crime Control. The balance of income before transfers is transferred to the Montana Office of Public Instruction. The following is a summary of total transfer obligations outstanding:

	June 30.	
	1995	1994
Transfer obligation – Montana Board of Crime Control	\$ 216,238	\$ 241,748
Transfer obligation – Montana Office of Public Instruction	2,160,005	2,414,827
 Total transfer obligations	 \$ 2,376,243	 \$ 2,656,575

Effective July 1, 1995, the Montana State Lottery is required to transfer its net revenue to the Montana State General Fund rather than the Montana Office of Public Instruction and the Montana Board of Crime

MONTANA STATE LOTTERY
NOTES TO FINANCIAL STATEMENTS (continued)

Control. This change was enacted through the passage of SB 83 by the 1995 Legislature and signed into law by Governor Racicot in April 1995.

NOTE 7 - OTHER CURRENT LIABILITIES

Other current liabilities consist of the following:

	June 30,	
	1995	1994
Estimated return ticket liability	\$ 86,884	\$ 202,417
Due to other state agencies	93,414	172,930
Deferred on-line revenue	144,367	80,932
	\$ 324,665	\$ 456,279

NOTE 8 - LONG-TERM LIABILITIES

Long-term liabilities consist of the following:

	June 30,	
	1995	1994
Prize liability Multi-State Lottery Association	\$ 1,447,165	\$ 1,153,060
Accrued compensated absences	165,188	147,722
	\$ 1,612,353	\$ 1,300,782

NOTE 9 - LEASES

The Lottery leases its office, administrative and warehouse facilities under a lease agreement expiring February 1997. The annual minimum lease payments under noncancellable operating leases, as of June 30, 1995 are:

Year ending June 30:	
1996	78,000
1997	52,000

Rent expense under operating leases charged to operations was \$78,000 for the years ended June 30, 1995 and 1994.

NOTE 10 - CONTRIBUTED CAPITAL

The following changes occurred in contributed capital:

	June 30,	
	1995	1994
Beginning balance, contributed capital	\$ 1,360	\$ 1,360
Donated fixed assets	237,683	-
Ending balance, contributed capital	\$ 239,043	\$ 1,360

MONTANA STATE LOTTERY
NOTES TO FINANCIAL STATEMENTS (continued)

NOTE 11 - EMPLOYEE BENEFIT PLANS

Pension Plan

All eligible employees of the Lottery participate in the Montana Public Employees Retirement System (PERS), a defined benefit, cost-sharing, multiple-employer retirement plan. The Lottery is required to contribute for full-time employees at the rate of 6.7% of annual compensation under State statute. Employees are required to contribute 6.7% of annual compensation. Part-time employees have an option to belong to the retirement plan, depending upon hours worked.

The total number of Lottery employees covered during the years ended June 30, 1995 and 1994 was 37 and 34, respectively. Total payroll for Lottery employees was \$864,938 in 1995 and \$914,535 in 1994. Total covered payroll was \$813,839 and \$880,321 for 1995 and 1994, respectively. The Lottery's contributions were \$54,557 and \$69,949 for the years ended June 30, 1995 and 1994, respectively. Benefit eligibility is age 60 with at least five years service; age 65 regardless of service; or 30 years of service regardless of age. Actuarially reduced benefits may be taken with 25 years of service or at age 50 with at least five years of service. Monthly retirement benefits are determined by taking 1/56 times the number of years of service times 60% maximum of final pay. Members' rights become vested after five years of service.

The "pension benefit obligation" is a standardized disclosure measure of the present value of pension benefits, adjusted for the effects of projected salary increases and step-rate benefits, estimated to be payable in the future as a result of employee service to date. The measure, which is the actuarial present value of credited projected benefits, is intended to help users assess the system's funding status on a going-concern basis, assess progress made in accumulating sufficient assets to pay benefits when due and make comparisons among employers. The Lottery is unable to determine the actuarial present value of credited projected benefits and net assets available for benefits since the information is available only on a total State basis, not agency basis.

The pension benefit obligation at June 30, 1994, (the latest information available) for the State system as a whole was \$1,475,986,000. The system's net assets available for benefits at cost on June 30, 1994 were \$1,202,063,000 leaving an overall unfunded pension benefit obligation of \$273,923,000. The Lottery's 1994 contribution represented less than 1% of total June 30, 1994 contributions required of all participating entities. The Lottery is not responsible for any state system unfunded liability.

Ten-year historical trend information showing the State system's progress in accumulating sufficient assets to pay benefits when due is presented in the system's June 30, 1994 annual financial report, which is available from the Montana Department of Administration.

Deferred Compensation Plan

The Lottery's permanent employees are eligible to participate in the State of Montana's deferred compensation plan. The State of Montana administers the plan by contractual arrangement with Nationwide Insurance. The amount of compensation deferred is not available to employees until termination, retirement, death, or unforeseen emergency. All amounts deferred under the plan created under Internal Revenue Code Section 457 remain the property of the State of Montana until paid, subject only to claims of the State of Montana's general creditors. Participants' rights under the plan are equal to those of general creditors of the State of Montana in an amount equal to the fair market value of the deferred account for each participant.

MONTANA STATE LOTTERY
NOTES TO FINANCIAL STATEMENTS (continued)

NOTE 12 - RELATED PARTY TRANSACTIONS

During the ordinary course of business, other State agencies provide certain services and supplies to the Lottery. During 1995 and 1994, total payments to other State agencies were approximately \$1,383,177 and \$1,496,700, respectively.

NOTE 13 - COMMITMENTS AND CONTINGENCIES

Instant Tickets

The Lottery has signed agreements to purchase instant game tickets from Dittler Brothers, Inc., through June 1996. This contract may be canceled by the Lottery with proper notification.

Maintenance Contract

The Lottery has signed an agreement for computer hardware and software maintenance with Stratus Computer, Inc., for \$3,528 per month. The agreement may be canceled by either party with proper notification.

On-line Vendor

The Lottery has signed a contract with Automated Wagering International, Inc., a wholly owned corporation of Video Lottery Technologies, Inc., to provide on-line terminals, central computers, and a telecommunications network through November 1996. The contract provides for payments to be based on a percentage of weekly sales.

Prize Contingencies

Certain Big Spin prizes awarded are payable to the winners in annual installments spanning seventeen to twenty years with the first payment being made by the Lottery. The Lottery has entered into agreements with an insurance carrier under which purchased annuities will provide the required level of payments corresponding to the Lottery's obligation to these prize winners. Because it is the intent of the Lottery that the insurance carrier will make future installment payments directly to each prize winner, neither the present value of the annuities nor the present value of the future payments are reflected in the accompanying financial statements. The Lottery would be liable for such future payments in the gross amount of \$2,984,559 and \$3,234,559 at June 30, 1995 and 1994, respectively, if the insurance carrier defaulted on their payments.

Advertising

The Lottery signed a contract with Wendt Advertising to provide advertising services for \$12,750 per month through September 1995. The Lottery has the option to extend the contract for an additional year.

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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL STRUCTURE BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Commissioners
Montana State Lottery
Helena, Montana

We have audited the financial statements of Montana State Lottery (Lottery), an enterprise fund of the State of Montana, as of and for the year ended June 30, 1995, and have issued our report thereon dated August 25, 1995.

We conducted our audit in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

In planning and performing our audit of the financial statements of Montana State Lottery for the year ended June 30, 1995, we considered its internal control structure in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control structure.

The management of Montana State Lottery is responsible for establishing and maintaining an internal control structure. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of internal control structure policies and procedures. The objectives of an internal control structure are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use of disposition, and that transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of financial statements in accordance with generally accepted accounting principles. Because of inherent limitations in any internal control structure, errors or irregularities may nevertheless occur and not be detected. Also, projection of any evaluation of the structure to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the effectiveness of the design and operation of policies and procedures may deteriorate.

In planning and performing our audit of the financial statements of Montana State Lottery, for the year ended June 30, 1995, we obtained an understanding of the internal control structure. With respect to the internal control structure, we obtained an understanding of the design of relevant policies and procedures and whether they have been placed in operation, and we assessed control risk in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide an opinion on the internal control structure. Accordingly, we do not express such an opinion.

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL STRUCTURE
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS - continued

Our consideration of the internal control structure would not necessarily disclose all matters in the internal control structure that might be material weaknesses under standards established by the American Institute of Certified Public Accountants. A material weakness is a reportable condition in which the design or operation of one or more of the internal control structure elements does not reduce to a relatively low level the risk that errors or irregularities in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control structure and its operation that we consider to be material weaknesses as defined above.

However, we noted certain matters involving the internal control structure and its operation that we have reported to the management of Montana State Lottery in a separate letter dated August 25, 1995.

This report is intended for the information of the Lottery's Commissioners, management and the Legislative Audit Committee. However, this report is a matter of public record and its distribution is not limited.

Olmiss & Associates, PC

August 25, 1995

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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Commissioners
Montana State Lottery
Helena, Montana

We have audited the financial statements of Montana State Lottery (Lottery), an enterprise fund of the State of Montana, as of and for the year ended June 30, 1995, and have issued our report thereon dated August 25, 1995.

We conducted our audit in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

Compliance with laws, regulations, contracts and grants applicable to Montana State Lottery is the responsibility of the Lottery's management. As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we performed tests of Montana State Lottery's compliance with certain provisions of laws, regulations, contracts and grants. However, the objective of our audit of the financial statements was not to provide an opinion on overall compliance with such provisions. Accordingly, we do not express such an opinion.

The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

We noted certain immaterial instances of noncompliance that we have reported to the management of Montana State Lottery in a separate letter dated August 25, 1995.

This report is intended for the information of the Lottery's Commissioners, management and the Legislative Audit Committee. However, this report is a matter of public record and its distribution is not limited.

Olness & Associates, PC

August 25, 1995

